

## REMARKS

Claims 1, 2, 4-11, 13-20 and 22-33 are pending and stand rejected. Upon entry of the instant amendment claims 31-33 are canceled, and the pending claims 18 and 30 are amended to correct for clerical errors. The remaining claims are believed to patentably define over the Vyncke prior art in view of the following remarks concerning the recitation defining Applicants' claimed invention.

Regarding claims 1, 10 and 19, these claims recite that a new merged object generated includes at least a first source object having an area and a second object having an area. On the other hand, Fig. 8 of Vyncke merely shows that the square 208 is hidden behind the square 206. The square 208 and the square 206 are not merged into one object. Therefore, Vyncke does not disclose that a new merged object generated includes at least a first source object having an area and a second object having an area.

Regarding claims 28-30, the Examiner alleges that he notes "other values may be used without deviating from the scope of the invention" (column 9, line 40-41 of Vyncke). However, this sentence follows the sentences "Blends are identified by scanning the database for a sequence of at least five objects, each of which is close in color and position to its adjacent objects, meaning that their bounding boxes at least touch each other and that any of the ink components of their colors do not differ by more than a predefined value, typically 2% to 3%." Therefore, these two sentences must be read as "Blends are identified by scanning the database for a sequence of at least five objects, each of which is close in color and position to its adjacent objects, meaning that their bounding boxes at least touch each other and that any of the ink components of their colors do not differ by more than a predefined value. The predefined value is typically 2% to 3% but the predefined value may be other values as long as not deviating from

Application No. 09/454,755  
Response to O.A. dated 2/10/04

the scope of the invention.” Therefore, “other values may be used without deviating from the scope of the invention” (column 9, lines 40-41) does not remove the restriction that the objects in the sequence must be all opaque (solid) or all transparent. Conversion of a blend including an opaque color and a transparent color to a continuous tone results in a picture including a vague boundary between the opaque color and the transparent color, which is apart from the original picture, and it is apparent that such a conversion should be avoided in Vyncke.

If the examiner would like to discuss Applicant’s invention prior to issuing an action, the Examiner should feel free to contact the undersigned attorney. In view of the foregoing, Applicant has placed the case in condition for reconsideration and respectfully requests allowance of pending claims 1, 2, 4-11, 13-20 and 22-30.

Respectfully submitted,



Perry J. Hoffman  
Registration No. 37,150  
MICHAEL BEST & FRIEDRICH LLC  
401 North Michigan Avenue, Suite 1900  
Chicago, IL 60611  
(312) 222-6636  
(312) 222-0818 (fax)

Dated: 5-6-04  
Attorney Docket No. 204432-0019

S:\client\204432\0019\CO361390.1